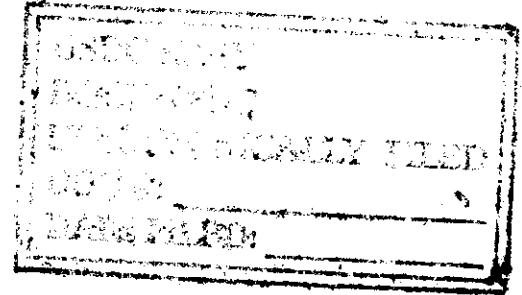


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
UNITED STATES OF AMERICA

- v. -

JAMES CASTALDO,

Defendant.
-----X

WAIVER OF INDICTMENT

08 Cr. 647

J. Karas

The above-named defendant, who is accused of violating Title 18, United States Code, Sections 666 and 1349, being advised of the nature of the charge and of his rights, hereby waives, in open Court, prosecution by indictment and consents that the proceeding may be by Information instead of by Indictment.

James Castaldo

JAMES CASTALDO
Defendant

Witness

[Signature]

Counsel for Defendant

Date: New York, New York
July 16, 2008